

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARTIN ARMANDO PALMA-LOYA,

Defendant.

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CRIMINAL ACTION NO. 4:20-CR-104

MEMORANDUM AND OPINION

Now before the Court is the request for revocation of Defendant's supervised release. The Court conducted a hearing on October 8, 2020 to determine whether Defendant violated his supervised release. Defendant was represented by Brian O'Shea. The Government was represented by Martin Armando Palma-Loya.

Armando Palma-Loya was sentenced on October 2, 2006, before The Honorable U.S. District Judge James G. Carr of the Northern District of Ohio after pleading guilty to the offense of Conspiracy to possess and distribute Heroin, a Class A felony. This offense carried a statutorily mandated life term of imprisonment. The guideline imprisonment range, based on a total offense level of 29 and a criminal history category of IV, was 121 to 151 months. Pursuant to a 5K1.1 government motion for substantial assistance, he received a downward departure and was subsequently sentenced to 121 months imprisonment followed by a 10 year term of supervised release subject to the standard conditions of release, plus special conditions to include the defendant shall surrender to the Bureau of Immigration and Customs Enforcement (ICE) for

deportation as provided by law, and shall not illegally re-enter or remain in the United States and a \$100 special assessment. On May 3, 2016, he completed his period of imprisonment and began service of the supervision term. On April 9, 2020 jurisdiction of the case was transferred to the Eastern District of Texas and reassigned to the undersigned.

On April 24, 2020, the U.S. Probation Officer executed a Petition for Warrant or Summons for Offender Under Supervision [Dkt. 3, *sealed*]. The Petition asserts that Defendant violated the following condition of supervision, as follows: (1) Defendant shall not commit another federal, state, or local crime.

The Petition alleges that Defendant committed the following acts: (1) On or about August 22, 2019, Mr. Palma-Loya committed the offense of Reentry of Deported Alien in the Eastern District of Texas in violation of Title 8 U.S.C. § 1326(a) and (b). He entered a plea of guilty on November 6, 2019 under Docket No.4:19CR234.

Prior to the Government putting on its case, Defendant entered a plea of true to the allegation of the Petition. Having considered the Petition and the plea of true to the allegation, the Court finds that Defendant did violate his conditions of supervised release.

Pursuant to the Sentencing Reform Act of 1984, the Court finds that the Defendant's supervised release is hereby revoked and that he be committed to the custody of the Bureau of Prisons to be imprisoned for a term of eighteen (18) months, to be served consecutively to any sentence of imprisonment the Defendant is serving, with no term of supervised release to follow.

The Court recommends that Defendant be housed in the Bureau of Prisons North Texas area facility, if appropriate.

IT IS SO ORDERED.

SIGNED this 13th day of October, 2020.

A handwritten signature in black ink, reading "Amos Mazzant". The signature is written in a cursive style with a horizontal line underneath it.

AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE